

Remarks/Arguments

Claims 11-23 remain in this case

Claims 1-30 were pending in the application. In the Office Action mailed on July 27, 2005, the Examiner required election under 35 U.S.C. §121 to one of the groups of claims consisting of group I claims 1-10 and 24-30, and group II claims 11-23.

In response to this restriction, Applicant elected group II claims 11-23. Non-elected claims 1-10 and 24-30 are canceled without prejudice.

Claim 4 was objected to because of informalities. Claim 4 has been canceled.

Claims 11-12, 16, 18-20 and 23 stand rejected under 35 USC 102(b) as being anticipated by Sansone (US 6,108,643). For the reasons set forth below, this rejection is respectfully traversed.

The rejection of independent claim 11 is respectfully traversed because there is no teaching or suggestion to be found in Sansone for "a print head system adapted to print at least two different inks onto the item, the print head system comprising a first supply of a first ink having a first color under normal daylight and a second supply of a second different ink, the second different ink having a second color under a normal daylight which is substantially the same as the first color". Nor is there any teaching or suggestion to be found in Sansone for "a controller for controlling application of the first and second inks by the print head system on the item, wherein the controller is adapted to print the first and second inks in at least partially intermixed patterns such that the patterns of the first and second inks are substantially visually indiscernible within the indicium in normal daylight".

In paragraph 4 of the Office Action, the Examiner supports the rejection with the following remarks (emphasis added):

Sansone teaches a system for printing an indicium on an item, the system comprising a print head system (43 in fig. 6; col. 5 , line 61) **adapted to print at least two different inks** (“**indicia 25 may be printed with a normal black ink**” col. 3, line 24 and “**encrypted code 73 may be printed with a dual luminescent ink**” col. 4, lines 63-64) onto the item (70 in fig. 5) , the print head system (fig. 6) comprising a first supply of a first ink (e.g., normal black ink) having a first color under normal daylight and **a second supply of a second different ink** (e.g., luminescent ink), **the second different ink having a second color under a normal daylight which is substantially the same as the first color, and wherein the second ink comprises a fluorescent ink**; and a controller (51 in fig. 6) for controlling application of the first and second inks by the print head system on the item, **wherein the controller is adapted to print the first and second inks in at least partially intermixed patterns such that the patterns of the first and second inks are substantially visually indiscernible within the indicium in normal daylight** (see fig. 5; encrypted code 73 is partially intermixed patterns with the indicia 25 and is printed with luminescent ink, which is substantially visually indiscernible within the indicium in normal daylight (see col. 4, line 63 through col. 5, line 6)), and the second pattern of the second ink is discernible from the first pattern when subjected to fluorescent-exciting radiation (“**Encrypted code 73 may be printed with a dual luminescent ink, Le., an ink that is fluorescent and phosphorescent when radiated with ultraviolet light.**” col. 4, lines 63-65) (col. 5, lines 21-55).

Applicants respectfully disagree with the Examiner's remarks. Sansone neither teaches nor suggests the instant invention as described by claim 11. Sansone does not teach or suggest a system for printing an indicium on an item that comprises a print head system adapted to print at least two different inks. In the second parenthetical phase in the excerpt above, the Examiner misquotes col. 3, line 24 which actually reads (emphasis added): “**pre-printed indicia 25** may be printed with a normal black ink, red ink or any ink having a desired color. Indicia 25 may also be printed with a fluorescent ink or phosphorescent ink.” Sansone clearly teaches that indicia 25 is pre-printed on mail piece 30. See col. 3, line 6, or line 13, or line 23 (describing Fig. 3); or col. 4, line 13, or line 22, or line 26, or line 37 (describing Fig. 4). Sansone does not teach a print head system adapted to print at least two different inks. In fact, Sansone teaches against such a print head system because Sansone teaches pre-printing the indicia 25 of Fig. 3 on a mail piece 30. See col. 3, lines 6-40. Sansone further teaches printing variable information that is specific to the piece of mail that indicia 25 has been affixed. This information is printed in block 33. See Fig. 4 and col. 4, lines 13-65. Finally,

Sansone teaches a permit mail metering system (Fig. 6) that reads the pre-printed indicia 25 to obtain the permit number before computing and printing the encrypted code 73. See col. 6, line 60 to col. 7, line 5.

Although Sansone teaches that different inks can be used to print in block 33 or to print encryption code 71, Sansone does not teach more than one ink available for print head 43 to use to print when printing on a mail piece. Print head 43 will print in luminescent ink if the ink supply to print head 43 is luminescent ink. Alternatively, the ink supply can be phosphorescent ink (col. 4, line 27), or "normal black, red or any ink having a desired color" (col. 4, lines 36-37), or dual luminescent ink (col. 4, line 39). Nowhere in Sansone is there any teaching or suggestion that print head 43 has two different inks as a supply.

Sansone teaches a "permit mail metering system that preprints the non-variable portion of an indicia" as described in the Abstract. Also see col. 3, line 6, or line 13, or line 23 (describing Fig. 3); or col. 4, line 13, or line 22, or line 26, or line 37 (describing Fig. 4). "Another advantage of this invention is that the variable data indicia printer is able to run at a more rapid rate than normal indicia printers because the amount of information to be printed is much less." See col. 2, lines 21-25. Thus, it is clear that Sansone does not disclose the present invention because Sansone teaches a print head 43 that prints only one type of ink.

Furthermore, Sansone does not disclose or suggest a controller for controlling application of the first and second inks by the print head system on the item, wherein **the controller is adapted to print the first and second inks in at least partially intermixed patterns such that the patterns of the first and second inks are substantially visually indiscernible within the indicium in normal daylight** and the second pattern of the second ink is discernible from the first pattern when subjected to fluorescent-exciting radiation. The Examiner refers to fig. 5, stating that "encrypted code 73 is partially intermixed patterns with the indicia 25 and is printed with luminescent ink, which is substantially visually indiscernible within the indicium in

normal daylight". Applicants do not understand how the Examiner can make the statement that the patterns of indicia 25 and encrypted code 73 are substantially visually indiscernible within the indicium in normal daylight. This statement is just wrong. They are discernible because, first, they are not intermixed at all and second they are meant to be discernible within the indicium in normal daylight. There is nothing in Sansone that teaches or suggests otherwise.

As seen in Figs. 4, 5 and 8, encrypted code 73 and indicia 25 and variable information printed in block 33 are clearly discernible in normal daylight. The Examiner's attention is directed to block 22 in Figs. 1 and 2 of the instant application. The comparison of the blocks 22 in the two figures demonstrates the instant invention. See paragraphs 23-26 in the instant application. Also, a comparison of the image in Fig. 9 to the images in Figs. 10-13 demonstrates information hidden in accordance with the present invention. See paragraphs 42-44 in the instant application.

The instant invention provides a way to hide information in a printed indicium. According to claim 11, the controller is adapted to **print the first and second inks in at least partially intermixed patterns such that the patterns of the first and second inks are substantially visually indiscernible within the indicium in normal daylight**. By definition, the term **indiscernible** means incapable of being discerned or not recognizable as distinct. Sansone does not teach or suggest such a system.

The rejection of independent claim 19 is respectfully traversed because there is no teaching or suggestion to be found in Sansone for "printing a second pattern on the item at the first pattern with a second different ink, wherein the second different ink comprises a fluorescent ink having a substantially same color as the first ink under normal daylight, wherein the first and second patterns are substantially visually indiscernible within the indicium under normal daylight, and wherein the second pattern is discernible from the first pattern when subjected to a fluorescent-exciting illumination source". The foregoing arguments traversing the rejection of claim 11 apply to traversing the rejection of claim 19 as well.

Claims 12, 16 and 18 depend from independent claim 11. Claims 20 and 23 depend from independent claim 19. For at least the reasons set forth above for independent claims 11 and 19, Applicants respectfully submit that claims 12, 16, 18, 20 and 23 are allowable along with claims 11 and 19 and on their own merits.

Claims 13-14 stand rejected under 35 USC 103(a) as being unpatentable over Sansone (US 6,108,643) in view of Parkos (US 5,912,682). For the reasons set forth below, this rejection is respectfully traversed.

Claims 13-14 depend from independent claim 11. For at least the reasons set forth above for independent claim 11, Applicants respectfully submit that claims 13-14 are allowable along with claim 11 and on their own merits.

Claims 15, 17 and 21-22 stand rejected under 35 USC 103(a) as being unpatentable over Sansone (US 6,108,643) in view of Sarada et al. (US 5,569,317). For the reasons set forth below, this rejection is respectfully traversed.

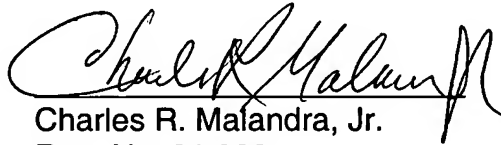
Claims 15 and 17 depend from independent claim 11. Claims 21-22 depend from independent claim 19. For at least the reasons set forth above for independent claims 11 and 19, Applicants respectfully submit that claims 15, 17 and 21-22 are allowable along with claims 11 and 19 and on their own merits.

In summary, for at least the above reasons, Appellant respectfully submits that the rejections as to claims 11 and 19 are in error and should be reversed. Claims 12-18 and 20-23 are dependent upon claims 11 and 19 respectively and therefore the rejections with respect to these claims should also be reversed.

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In view of the foregoing amendments and remarks, it is respectfully submitted that the claims of this application are now in a condition for allowance and favorable action thereon is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles R. Malandra, Jr.", written over a horizontal line.

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